
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

BENTON GERALD MILEY,

Plaintiff,

versus

BUREAU OF PRISONS, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:07-CV-424

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Benton Gerald Miley, an inmate confined at the Federal Correctional Complex, proceeding *pro se*, brought this civil rights action against the Bureau of Prisons, T.C. Outlaw, and six unknown prison officials.

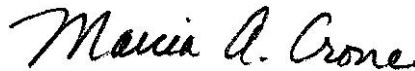
The court referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends this action be dismissed without prejudice pursuant to FED. R. Civ. P. 4(m).

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendation.

SIGNED at Beaumont, Texas, this 20th day of March, 2008.

A handwritten signature in black ink, reading "Marcia A. Crone", is positioned above a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE